

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

In re
LEASE OIL ANTITRUST
LITIGATION
(No. II)

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MDL No. 1206

ORDER


On this day came on to be considered the motion to intervene and motion for withdrawal of funds filed by Jonathan Lee Riches, a federal prisoner currently incarcerated in South Carolina (D.E. 1051). Specifically, Mr. Riches seeks to intervene in the above-styled multi-district litigation for the purpose of withdrawing funds “to pay off [his] [i]dentity theft victims with [r]estitution money.” (Motion, p. 1). Mr. Riches also seeks the funds to pay for “basic hygiene” in prison, because he claims he does not have the money necessary for soap, toothpaste and food. (Id.).

The above-styled multi-district litigation commenced in 1998, and the Court granted final approval to a series of settlements in 1999. See In re Lease Oil Antitrust Litig. (No. II), 186 F.R.D. 403 (S.D. Tex. 1999). The settlement distribution process was handled by the Settlement Administrator in the MDL 1206 litigation. The lengthy settlement distribution process has been completed, with over 446,000 checks issued to class members and taxation authorities. Any unclaimed settlement funds have been distributed per Court Order, with certain amounts set aside for pending appeals. (MDL D.E. 1002).

Mr. Riches does not allege any interest in the above-styled multi-district litigation, however, even if he did allege any such interest, Mr. Riches’ motion must be denied as untimely. If Mr. Riches did have a valid claim as a class member in the MDL 1206 litigation, he had his

opportunity to proceed through the settlement distribution process.¹ That process went on for a period of many years and is now complete. (MDL D.E. 1002). Mr. Riches cannot now claim MDL 1206 settlement funds, almost a full decade after final settlement approval. The settlement funds have been fully distributed, and Mr. Riches' motion to intervene and motion for withdrawal of funds is hereby DENIED.

SIGNED and ORDERED this 17th day of July, 2008.


Janis Graham Jack
United States District Judge

¹Even if Mr. Riches' motion to intervene/motion for withdrawal of funds were timely, which it is not, such a motion would not be the proper vehicle to seek distribution of the MDL 1206 settlement funds. The funds were distributed through the process set up by the Settlement Administrator. Mr. Riches would have had to proceed through this settlement distribution process, which is now closed.